

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 23702

PERMIT 16297

LICENSE _____

ORDER DELETING PERMIT TERM AND AMENDING THE PERMIT

WHEREAS:

1. Permit paragraph No. 18 imposing Water Conservation Program requirements was inadvertently included in Permit 16297 (Application 23702) on March 25, 1983.
2. The written policy of the Board in effect since prior to January 26, 1982 required certain water right permits be made subject to standard Permit Term No. 29.
3. The purpose of use and quantity of water specified under Permit 16297 (Application 23702) is no longer subject to compliance with Water Conservation permit paragraph No. 18 and should be deleted.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 11 of this permit is hereby deleted. A new Paragraph 11 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

2. Paragraph 18 of this permit is hereby deleted.

Dated: APRIL 2 1987

A handwritten signature in cursive script that reads "Raymond Walsh".

Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA
~~THE RESOURCES AGENCY~~
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 23702

PERMIT 16297

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 1, 1991

2. Paragraph 11 of this permit is deleted. A new Paragraph 11 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privilege under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

3. Paragraph 18 is added to this permit as follows:

Permittee shall consult with the Division of Water Rights and the Department of Water Resources and develop and implement a water conservation program or actions. A progress report on development of the program shall be submitted to the Board within 6 months. The program or proposed actions shall be presented to the Board for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board.

Dated: MARCH 25 1983

A handwritten signature in cursive script, reading "Raymond Walsh".

Raymond Walsh, Chief
Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET

SACRAMENTO, CALIFORNIA 95818

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND
AMENDING PERMIT

PERMIT 16297

APPLICATION 23702

WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.
2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.
3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE IS APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE

DECEMBER 1, 1981

2. PARAGRAPH 11 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: PURSUANT TO WATER CODE SECTION 100, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS

PERMIT 16297
PAGE 2

APPLICATION 23702

AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

DATED: MAY 11 1977


R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT No. 16297

Application 23702 of SHASTA HOLIDAY MUTUAL WATER COMPANY, INC. over
c/o JOHN H. BEAVER, SECRETARY, 7016 ELLSWORTH CIRCLE, FAIR OAKS, CALIFORNIA 95628

filed on FEBRUARY 11, 1971, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

AN UNNAMED STREAM

CAMPBELL CREEK THENCE MCCLOUD RIVER

ARM OF SHASTA LAKE

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
(1) NORTH 1,300 FEET AND WEST 500 FEET FROM SE CORNER OF SECTION 29, T35N, R3W, MDB&M	SE ¼ of SE ¼	29	35N	3W	MD
(2) NORTH 800 FEET AND WEST 1,230 FEET FROM SE CORNER OF SECTION 29, T35N, R3W, MDB&M	SE ¼ of SE ¼	29	35N	3W	MD
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

County of SHASTA

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
DOMESTIC	SW1/4 OF SE1/4	29	35N	3W	MD	

The place of use is shown on map filed with the State Water Resources Control Board.

P 16297

4-24-86 Asgd to Charles J. Hughes

5. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED, AND SHALL NOT EXCEED 0.10 CUBIC FOOT PER SECOND TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER THIS PERMIT SHALL NOT EXCEED 40 ACRE-Feet PER YEAR. (0000005)

6. THE MAXIMUM QUANTITY HEREIN STATED MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS. (0000006)

7. ACTUAL CONSTRUCTION WORK SHALL BEGIN ON OR BEFORE NINE MONTHS FROM DATE OF PERMIT AND SHALL THEREAFTER BE PROSECUTED WITH REASONABLE DILIGENCE, AND IF NOT SO COMMENCED AND PROSECUTED, THIS PERMIT MAY BE REVOKED. (0000007)

8. SAID CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1974. (0000008)

9. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1975. (0000009)

10. PROGRESS REPORTS SHALL BE SUBMITTED PROMPTLY BY PERMITTEE WHEN REQUESTED BY THE STATE WATER RESOURCES CONTROL BOARD UNTIL LICENSE IS ISSUED. (0000010)

11. ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT, INCLUDING METHOD OF DIVERSION, METHOD OF USE AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER. *revised* (0000012)

12. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES. (0000013)

13. PERMITTEE SHALL ALLOW REPRESENTATIVES OF THE STATE WATER RESOURCES CONTROL BOARD AND OTHER PARTIES AS MAY BE AUTHORIZED FROM TIME TO TIME BY SAID BOARD, REASONABLE ACCESS TO PROJECT WORKS TO DETERMINE COMPLIANCE WITH THE TERMS OF THIS PERMIT. (0000011)

14. THIS PERMIT SHALL NOT BE CONSTRUED AS CONFERRING UPON THE PERMITTEE RIGHT OF ACCESS TO THE POINT OF DIVERSION. (0000022)

15. THE TOTAL QUANTITY OF WATER DIVERTED UNDER THIS PERMIT, TOGETHER WITH THAT DIVERTED UNDER PERMIT PURSUANT TO APPLICATION 20694, SHALL NOT EXCEED 0.10 CUBIC FOOT PER SECOND. (0000114)

16. DIVERSION OF WATER UNDER THIS PERMIT FROM JULY 1 TO AUGUST 31 OF EACH YEAR IS ALLOWED ONLY SO LONG AS A WATER EXCHANGE CONTRACT WITH SHASTA COUNTY WATER AGENCY IS IN EFFECT WHICH COVERS THE FULL AMOUNT OF WATER DIVERTED UNDER THIS PERMIT DURING SAID PERIOD OF JULY 1 TO AUGUST 31. (0220089)

~~8x The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed~~

17. NO WATER MAY BE DIVERTED UNDER THIS PERMIT FOR DOMESTIC PURPOSES UNTIL THE PERMITTEE HAS FILED A REPORT OF WASTE DISCHARGE WITH THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION PURSUANT TO WATER CODE SECTION 13260 AND THE REGIONAL BOARD OR THE STATE WATER RESOURCES CONTROL BOARD HAS PRESCRIBED WASTE DISCHARGE REQUIREMENTS (UNLESS A WAIVER HAS BEEN ISSUED BY THE REGIONAL BOARD OR THE REGIONAL BOARD FAILS TO ACT WITHIN 120 DAYS AFTER THE REPORT HAS BEEN FILED). THEREAFTER, WATER MAY BE DIVERTED ONLY DURING SUCH TIMES AS ALL REQUIREMENTS PRESCRIBED BY THE REGIONAL BOARD OR STATE BOARD ARE BEING MET.

(0000029)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: OCT 4 1971

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights